

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Court File No. 15-CV-04578 (MJD-SER)

Cheri Marie Hanson, as trustee for the next of
kin of Andrew Derek Layton,

Plaintiff,

vs.

Daniel Best, Audrey Burgess, Craig Frericks,
Kyley Groby, Matthew Huettl and Kenneth
Baker, individually and acting in their official
capacities as City of Mankato Department of
Public Safety Police officers, The City of Mankato;
Gold Cross Ambulance, Michael Jason Burt, and
Thomas John Drews,

Defendants.

DECLARATION OF BRYCE M. MILLER

I, **BRYCE M. MILLER**, pursuant to 28 U.S.C. §1746, I hereby declare as follows:

1. I am one of the attorneys representing Plaintiff Cheri Marie Hanson in the above-referenced matter.
2. Attached hereto as **Exhibit A** is a true and correct copy of the report of Dr. Michael Baden, M.D., dated August 19, 2016.
3. Attached hereto as **Exhibit B** is a true and correct copy of the report of Dr. Robert Myerburg, M.D., dated August 5, 2016.
4. Attached hereto as **Exhibit C** is a true and correct copy of the report of Mr. Gary Ludwig.
5. Attached hereto as **Exhibit D** is a true and correct copy of the Transcript of the Deposition of Defendant Thomas John Drews.
6. Attached hereto as **Exhibit E** is a true and correct copy of the Transcript of the Deposition

of Defendant Michael Jason Burt.

7. Attached hereto as **Exhibit F** is the NAEMSP position paper entitled “Patient Restraint In Emergency Medical Services”, published in 2002.
8. Attached hereto as **Exhibit G** is a true and correct copy of the letter of Paul Anderson, MS, NREMT-P, Chief Operating Officer, Gold Cross Ambulance Service to Ms. Cheri Hanson dated September 5, 2013.
9. Attached hereto as **Exhibit H** is a true and correct copy of Defendant Gold Cross Patient Care Guidelines that Mr. Anderson gave Cheri Hanson around September 5, 2013.
10. Attached hereto as **Exhibit I** is a true and correct copy of Gold Cross Patient Care Report prepared for Run Number 69 of Gold Cross ALS ground ambulance vehicle #450 on January 1, 2013 related to patient Andrew Layton.
11. Attached hereto as **Exhibit J** is a demonstrative photograph depicting a person “hogtied” and left in prone position.
12. Attached hereto as **Exhibit K** is a demonstrative photograph depicting a male model wearing an exemplar spit hood.
13. Attached hereto as **Exhibit L** is demonstrative drawing showing the proper way to restrain a patient in 4-Point restraint on a stretcher.
14. Attached hereto as **Exhibit M** is a true and correct copy of photographs showing metal handcuff marks on Andrew Layton’s wrists.
15. Attached hereto as **Exhibit N** is a demonstrative photograph depicting “seat belts” on an ambulance stretcher/cot substantially similar to the Gold Cross stretcher/cot.
16. Attached hereto as **Exhibit O** is a true and correct copy of photographs depicting Andrew Layton’s face and neck areas.

17. Attached hereto as **Exhibit P** is a true and correct copy of a still frame from video of Andrew Layton being transported on the Gold Cross stretcher/cot.
18. Attached hereto as **Exhibit Q** is Plaintiff's First Amended Complaint.
19. Attached hereto as **Exhibit R** is a copy of Plaintiff's First Amended Complaint with the changes redlined in the document.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Signed this 15th day of November, 2016, in Ramsey County, Minnesota.

s/Bryce Miller
Bryce M. Miller